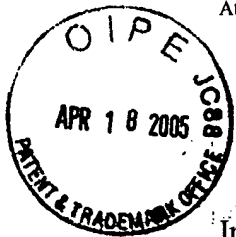


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**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of AARON LAMSTEIN)

Group Art Unit: 3643

Application No. 10/801,240)

Examiner: Andrea M. Valenti

Filing Date:: 3/15/2004)

NOTICE OF APPEAL

For: DEEPERSLEEPER)

BOX TTAB -- FEE
Commissioner for Trademarks
Post Office Box 1450
Alexandria VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box TTAB-FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 4/14/05
By: *Teri Nelmark*
Teri Nelmark

Applicant hereby appeals the decision of the Examiner in finally rejecting claims 1-9, all of the claims of the subject application. The final rejection was mailed on March 7, 2005. As such, the present Notice of Appeal has been timely filed. Applicant has enclosed its appeal fee in the amount of \$100.

In the event that there is any deficiency in this fee, the Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No. 04-0822. This notice is submitted in triplicate.

Respectfully submitted.

04/25/2005 HTECKLU1 00000045 040822 10801240

01 FC:2401 150.00 DA 100.00 OP

DERGOSITS & NOAH LLP

Dated: April 14, 2005

Michael E. Dergosits
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San Francisco, CA 94111
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